



AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Grooten, et al.
App. No. : 10/045,185
Filed : October 18, 2001
For : USE OF INTERLEUKIN-15
Examiner : Winkler, Ulrike
Art Unit : 1648

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop DAC on

June 25, 2004

(Date)

Che Swyden Chereskin, Ph.D., Reg. No. 41,466

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Mail Stop DAC

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Petition for Revival of an Application for Patent Abandoned Due to Patent Office Error in 2 pages.
- (X) Copy Establishment of Right of Assignee to Take Action and Revocation and Power of Attorney in 2 pages.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Che Swyden Chereskin, Ph.D.

Registration No. 41,466

Agent of Record

Customer No. 20,995

(949) 760-0404

**PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED DUE TO PATENT OFFICE ERROR**



First named inventor: Grooten, et al.

Group Art Unit: 1648

App. No.: 10/045,185

Filed: October 18, 2001

Title: USE OF INTERLEUKIN-15

Examiner: Winkler, Ulrike

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTN: Mail Stop DAC

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on November 3, 2003. This abandonment was unavoidable because the Office Action of November 3, 2003 was sent to the wrong address and was never received by Applicants. The abandonment date of this application is February 4, 2004 (i.e., the day after the expiration of the date of the period set for response, plus any extensions of time obtained therefore).

On June 23rd a telephone call was placed to Examiner Winkler to inquire on the status of the above-referenced application as nothing had been received from the Patent and Trademark Office since the mailing of a restriction requirement on September 8, 2003 to which a response was filed on September 23, 2003. Examiner Winkler informed the undersigned that a non-final Office Action had been mailed on November 3, 2003, but it had been mailed to our former address in Newport Beach.

In reviewing the parent file, 09/380,049, it was determined that the Power of Attorney in the parent file correctly listed our Customer No. 20,995 (copy attached). As we have occupied our present Irvine Office since summer of 2002, and the address for the files associated with our Customer No. was changed at that time, the paper should have been sent to our present Irvine Office. Thus, we believe that abandonment of the above-referenced application was due to Patent Office error. Accordingly, no fees are believed to be due.

Applicants respectfully request revival of the above-referenced application and mailing of the Office Action of November 3, 2003 to our Irvine Office address which is associated with Customer No. 20,995. A fax copy has kindly been sent to the undersigned by Examiner Winkler.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 25, 2004

By: Che S. Chereskin

Che Swyden Chereskin

Registration No. 41,466

Agent of Record

Customer No. 20,995

(949) 760-0404



DECL1.001CP1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Grooten, et al.)
 International)
 App. No. : PCT/EP98/01127)
 International)
 Filing Date : 23 February 1998)
 For : USE OF INTERLEUKIN-15)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION AND REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
 Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and

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App. No. : PCT/EP98/01127
Filed : 23 February 1998

revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Vlaams Interuniversitair
Instituut Voor Biotechnologie

Dated: 16/8/99

By: 

Title: Vice General Director & Technology
Transfer Manager

Address: Rijvisschestraat 118,
bus 1, B-9052 Zwijnaarde Belgium

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